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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,779	10/03/2003	Gaston S. Ormazabal	Verizon-39	3413

32127 7590 05/12/2005

VERIZON CORPORATE SERVICES GROUP INC.  
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EXAMINER
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TSAI, CAROL S W

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/678,779

Applicant(s)

ORMAZABAL ET AL.

Examiner

Carol S. Tsai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/4/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9-17, 25 and 26 is/are rejected.
- 7) ☒ Claim(s) 6-8 and 18-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5, 9, 10, 13, 14, 15, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Publication 2003/0165136 to Cornelius et al. in view of U. S. Patent No. 5,465,286 to Clare et al.

With respect to claims 1, 2, 5, 9, 10, 13, 14, 15, 25, and 26, Cornelius et al. disclose a method of operating a communications network including a firewall comprising the steps of: monitoring delays associated with the closing of ports corresponding to communications sessions following the termination of said communications sessions as indicated by session control signals (see paragraphs 0014 and 0030-0034).

Cornelius et al. do not disclose generating an alert signal when a monitored closing delay exceeds a preselected threshold.

Clare et al. teach generating an alert signal when a monitored closing delay exceeds a preselected threshold (see col. 8, line 63 to col. 9, line 64 to col. 9, line 7).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cornelius et al.'s method to include generating an alert signal when a monitored closing delay exceeds a preselected threshold, as taught by Clare et al., in order that the supervisor can be alerted of excessively delayed responses to waiting calls.

4. Claims 3, 4, 11, 12, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornelius et al. in view of Clare et al. as applied to claims 1, 2, 9, 10, 14, and 15 above, and further in view of U. S. Publication 2004/0136379 to Liao et al.

As noted above, with respect to claims 3, 4, 11, 12, 16, and 17, Cornelius et al. in combination with Clare et al. teach all the features of the claimed invention, but do not disclose adjusting network routing to reduce the load on the firewall system which triggered said alarm signal.

Rao et al. teach adjusting network routing to reduce the load on the firewall system which triggered said alarm signal (see paragraphs 0059 and 0100).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cornelius et al. in combination with Clare et al.'s method to include adjusting network routing to reduce the load on the firewall system which triggered said alarm signal, as taught by Rao et al., in order that network performance can be improved.

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*Allowable Subject Matter*

5. Claims 6-8 and 18-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Response to Arguments*

6. Applicant's arguments with respect to claims 1-5, 9-17, 25, and 26 have been considered but are moot in view of the new ground(s) of rejection.

*Contact Information*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax number for TC 2800 is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "Carol S. W. Tsai".

Carol S. W. Tsai  
Patent Examiner  
Art Unit 2857

05/04/05